

House Engrossed

school bonding; ballot language

State of Arizona
House of Representatives
Fifty-seventh Legislature
Second Regular Session
2026

HOUSE BILL 4033

AN ACT

AMENDING SECTION 15-491, ARIZONA REVISED STATUTES; RELATING TO EDUCATION
BOND ELECTIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 15-491, Arizona Revised Statutes, is amended to
3 read:

4 15-491. Elections on school property; exceptions

5 A. The governing board of a school district may, and on petition of
6 fifteen percent of the school electors as shown by the poll list at the
7 last preceding annual school election shall, call an election for the
8 following purposes:

9 1. To locate or change the location of school buildings.

10 2. To purchase or sell school sites or buildings or sell school
11 sites pursuant to section 15-342 or to build school buildings, but the
12 authorization by vote of the school district shall not necessarily specify
13 the site to be purchased.

14 3. To decide whether the bonds of the school district shall be
15 issued and sold for the purpose of raising monies for purchasing or
16 leasing school lots, for building or renovating school buildings, for
17 supplying school buildings with furniture, equipment and technology, for
18 improving school grounds, for purchasing pupil transportation vehicles or
19 for liquidating any indebtedness already incurred for such purposes. Bonds
20 issued for furniture, equipment and technology, other than fixtures, shall
21 mature not later than the July 1 that follows the fifth year after the
22 bonds were issued. A school district shall not issue class B bonds until
23 the school district has obligated in contract the entire proceeds of any
24 class A bonds issued by the school district. The total amount of class A
25 and class B bonds issued by a school district shall not exceed the debt
26 limitations prescribed in article IX, sections 8 and 8.1, Constitution of
27 Arizona.

28 4. To lease for twenty or more years, as lessor or as lessee,
29 school buildings or grounds. Approval by a majority of the school
30 district electors voting authorizes the governing board to negotiate for
31 and enter into a lease. The ballot shall list the school buildings or
32 grounds for which a lease is sought. If the governing board does not
33 enter into a lease of twenty or more years of the school buildings or
34 grounds listed on the ballot within twenty years after the date of the
35 election and the board continues to seek such a lease, the governing board
36 shall call a special election to reauthorize the board to negotiate for
37 and to enter into a lease of twenty or more years.

38 5. To change the list of capital projects or the purposes
39 authorized by prior voter approval to issue bonds.

40 6. To extend from six to ten years the time period to issue class B
41 bonds authorized in 2009 or earlier. Elections pursuant to this paragraph
42 may not be held later than the sixth November after the election approving
43 the issuance of the bonds.

44 B. A petition is not required for holding the first election to be
45 held in a joint common school district for any of the purposes specified

1 in subsection A of this section. The certification of election results
2 required by section 15-493 shall be made to the board of supervisors of
3 the jurisdictional county.

4 C. When the election is called to determine whether or not bonds of
5 the school district shall be issued and sold for the purposes enumerated
6 in the call for the election, the question shall be submitted to the vote
7 of the qualified electors of the school district as defined in section
8 15-401 and subject to section 15-402.

9 D. The governing board shall order the election to be held and the
10 election notice and procedures to be conducted in the manner prescribed in
11 title 35, chapter 3, article 3. If a petition for an election has been
12 filed with the governing board as provided in subsection A of this
13 section, the board shall act on the petition within sixty days by ordering
14 the election to be held as provided in this subsection. If a school
15 district bond election is scheduled for the same date a school district
16 will hold an override election, the governing body shall deliver a copy of
17 the notice of election and ballot to the county school superintendent who
18 shall include the notice of election and ballot with the informational
19 pamphlet and ballot prepared for the override election. Mailing of the
20 information required for both the override and bond elections shall
21 constitute compliance with the notice provisions of this section.

22 E. The elections to be held pursuant to this section shall only be
23 held on dates prescribed by section 16-204, except that elections held
24 pursuant to this section to decide whether class B bonds shall be issued,
25 or any other obligation incurred that will require the assessment of
26 secondary property taxes, shall only be held on the first Tuesday after
27 the first Monday of November.

28 F. Subsection A, paragraph 2 of this section does not apply to the
29 sale of school property if the market value of the school property is less
30 than \$50,000.

31 G. Bond counsel fees, financial advisory fees, printing costs and
32 paying agent and registrar fees for bonds issued pursuant to an election
33 under this section shall be paid from either the amount authorized by the
34 qualified electors of the school district or current operating funds. Bond
35 election expenses shall be paid from current operating funds only.

36 H. For any election conducted to decide whether class B bonds will
37 be issued pursuant to this section:

38 1. Except as provided in paragraph 2 of this subsection, the ballot
39 shall include the following statement:

40 The capital improvements that are proposed to be funded
41 through this bond issuance are to exceed the state standards
42 and are in addition to monies provided by the state.

43 _____ school district is proposing to issue class B
44 general obligation bonds totaling \$_____ to fund capital
45 improvements over and above those funded by the state. Under

1 the students first capital funding system, _____ school
2 district is entitled to state monies for new construction and
3 renovation of school buildings in accordance with state law.
4 **ADDITIONAL INFORMATION AND A DESCRIPTION OF EACH PROPOSED**
5 **CAPITAL IMPROVEMENT THAT WILL BE FUNDED THROUGH THIS BOND**
6 **ISSUANCE CAN BE FOUND IN THE INFORMATIONAL PAMPHLET MAILED BY**
7 **THE SCHOOL DISTRICT.**

8 2. For a school district that is a career technical education
9 district, the ballot shall include the following statement:

10 _____, a career technical education district, is
11 proposing to issue class B general obligation bonds totaling
12 \$_____ to fund capital improvements at a campus owned or
13 operated and maintained by the career technical education
14 district.

15 3. The ballot shall conform to the requirements of title 35,
16 chapter 3, article 3.

17 4. At least eighty-five days before the election, the school
18 district shall submit proposed ballot language to the county school
19 superintendent and the director of the Arizona legislative council. The
20 director of the Arizona legislative council shall review the proposed
21 ballot language to determine whether the proposed ballot language complies
22 with this section. If the director of the Arizona legislative council
23 determines that the proposed ballot language does not comply with this
24 section, the director, within ten calendar days after receiving the
25 proposed ballot language, shall notify the school district and the county
26 school superintendent of the director's objections, and the school
27 district shall resubmit revised ballot language to the director for
28 approval.

29 5. Not later than thirty-five days before a class B bond election
30 conducted pursuant to this section, the school district shall mail an
31 informational pamphlet prepared by the county school superintendent to
32 each household that contains a qualified elector in the school
33 district. The informational pamphlet shall contain, at a minimum, the
34 following information:

35 (a) An executive summary of the school district's most recent
36 capital plan submitted to the school facilities oversight board.

37 (b) A complete list of each proposed capital improvement that will
38 be funded with the proceeds of the bonds and a description of the proposed
39 cost of each improvement, including a separate aggregation of capital
40 improvements for administrative purposes as defined by the school
41 facilities oversight board.

42 (c) The tax rate associated with each of the proposed capital
43 improvements and the estimated cost of each capital improvement for the
44 owner of a single family home that is valued at \$100,000.

1 (d) A COMPLETE LIST OF EACH PROPOSED CAPITAL IMPROVEMENT THAT WILL
2 BE FUNDED WITH THE PROCEEDS OF THE BONDS AND A DESCRIPTION OF THE PROPOSED
3 COST OF EACH IMPROVEMENT, INCLUDING A SEPARATE AGGREGATION OF THE CAPITAL
4 IMPROVEMENTS FOR ADMINISTRATIVE PURPOSES AS DEFINED BY THE SCHOOL
5 FACILITIES OVERSIGHT BOARD. THE LIST MUST DETAIL EACH SPECIFIC PROPOSED
6 CAPITAL IMPROVEMENT THAT WILL BE FUNDED WITH THE PROCEEDS OF THE BONDS AND
7 MUST INCLUDE ALL OF THE FOLLOWING:

8 (i) A DESCRIPTION OF THE IMPROVEMENT, INCLUDING WHETHER BOND
9 PROCEEDS WILL BE USED TO ACQUIRE LAND, TO MAKE IMPROVEMENTS TO LAND, TO
10 CONSTRUCT A NEW SCHOOL FACILITY, TO IMPROVE EXISTING SCHOOL FACILITIES OR
11 TO PAY FOR TRANSPORTATION COSTS.

12 (ii) THE ANTICIPATED COST OF THE IMPROVEMENT.

13 (iii) THE LOCATION OF THE IMPROVEMENT. FOR COSTS TO ACQUIRE OR
14 IMPROVE LAND, THE DESCRIPTION OF THE LOCATION MAY DETAIL THE GENERAL
15 PHYSICAL LOCATION OF THE IMPROVEMENT.

16 (e) A DESCRIPTION OF EACH PROPOSED IMPROVEMENT, CATEGORIZED BY ONE
17 OF THE FOLLOWING:

18 (i) HIGH SCHOOL EXPANSION AND ELEMENTARY SCHOOL ENHANCEMENTS,
19 INCLUDING PLAYGROUNDS, ATHLETIC FACILITIES, CAMPUS SECURITY, FURNITURE,
20 TECHNOLOGY AND EQUIPMENT.

21 (ii) RENOVATIONS, REPAIRS AND INFRASTRUCTURE UPGRADES, INCLUDING
22 FURNITURE, TECHNOLOGY AND EQUIPMENT.

23 (iii) PUPIL TRANSPORTATION AND MAINTENANCE VEHICLES.

24 (iv) TRANSPORTATION, MAINTENANCE AND ADMINISTRATIVE FACILITIES
25 IMPROVEMENTS, INCLUDING FURNITURE, TECHNOLOGY AND EQUIPMENT.

26 (f) THE SPECIFIC PROJECTS THE SCHOOL DISTRICT WILL UNDERTAKE FOR
27 EACH PROPOSED IMPROVEMENT.

28 (g) FOR EACH CATEGORY PRESCRIBED IN SUBDIVISION (e) OF THIS
29 PARAGRAPH, THE PERCENTAGE OF THE CATEGORY'S TOTAL COST RELATIVE TO THE
30 TOTAL PROCEEDS OF THE BONDS. THE PERCENTAGE IS CALCULATED BY DIVIDING THE
31 ESTIMATED COST OF EACH PROPOSED IMPROVEMENT BY THE TOTAL AMOUNT OF THE
32 PROCEEDS OF THE BONDS AND MULTIPLYING THE QUOTIENT BY ONE HUNDRED.

33 I. For any election conducted to decide whether impact aid revenue
34 bonds shall be issued pursuant to this section:

35 1. The ballot shall include the following statement:

36 The capital improvements that are proposed to be funded
37 through this bond issuance are to exceed the state standards
38 and are in addition to monies provided by the state.

39 _____ school district is proposing to issue impact
40 aid revenue bonds totaling \$_____ to fund capital
41 improvements over and above those funded by the state. Under
42 the students first capital funding system, _____ school
43 district is entitled to state monies for new construction and
44 renovation of school buildings in accordance with state law.

1 2. The ballot shall contain the words "bond approval, yes" and
2 "bond approval, no", and the voter shall signify the voter's desired
3 choice.

4 3. At least eighty-five days before the election, the school
5 district shall submit proposed ballot language to the director of the
6 legislative council. The director of the legislative council shall review
7 the proposed ballot language to determine whether the proposed ballot
8 language complies with this section. If the director of the legislative
9 council determines that the proposed ballot language does not comply with
10 this section, the director, within ten calendar days after receiving the
11 proposed ballot language, shall notify the school district of the
12 director's objections, and the school district shall resubmit revised
13 ballot language to the director for approval.

14 4. Not later than thirty-five days before an impact aid revenue
15 bond election conducted pursuant to this section, the school district
16 shall mail an informational pamphlet prepared by the county school
17 superintendent to each household that contains a qualified elector in the
18 school district. The informational pamphlet shall contain, at a minimum,
19 the following information:

20 (a) The date of the election.

21 (b) The voter's polling place and the times it is open.

22 (c) An executive summary of the school district's most recent
23 capital plan submitted to the school facilities oversight board.

24 (d) A complete list of each proposed capital improvement that will
25 be funded with the proceeds of the bonds and a description of the proposed
26 cost of each improvement, including a separate aggregation of capital
27 improvements for administrative purposes as defined by the school
28 facilities oversight board.

29 (e) A statement that impact aid revenue bonds will be fully funded
30 by aid that the school district receives from the federal government and
31 do not require a levy of taxes in the district.

32 (f) A statement that if the bonds are approved, the first priority
33 for the impact aid will be to pay the debt service for the bonds and that
34 other uses of the monies are prohibited until the debt service obligation
35 is met.

36 (g) A statement that if the impact aid revenue bonds are approved,
37 the school district shall not issue or sell class B bonds while the
38 district has existing indebtedness from impact aid revenue bonds, except
39 for bonds issued to refund any bonds issued by the board.

40 J. If the voters approve the issuance of school district class B
41 bonds or impact aid revenue bonds, the school district shall not use the
42 bond proceeds for any purposes other than the proposed capital
43 improvements listed in the informational pamphlet, except that up to ten
44 percent of the bond proceeds may be used for general capital expenses,
45 including cost overruns of proposed capital improvements. The proposed

1 capital improvements may be changed by a subsequent election as provided
2 by this section.

3 K. Each school district that issues bonds under this section shall
4 hold a public meeting each year between September 1 and October 31, until
5 the bond proceeds are spent, at which an update of the progress of capital
6 improvements financed through bonding is discussed and at which the public
7 is allowed an opportunity to comment. At a minimum, the update shall
8 include a comparison of the current status and the original projections on
9 the construction of capital improvements, the costs of capital
10 improvements and the costs of capital improvements in progress or
11 completed since the prior meeting and the future capital bonding plans of
12 the school district. The school district shall include in the public
13 meeting a discussion of the school district's use of state capital aid and
14 voter-approved capital overrides in funding capital improvements, if any.

15 L. If an election is held to change the purpose or list of capital
16 projects authorized by prior voter approval to issue bonds pursuant to
17 subsection A, paragraph 5 of this section, the following requirements
18 apply:

19 1. The election may be held only on the first Tuesday after the
20 first Monday in November.

21 2. Not later than thirty-five days before the election, the school
22 district shall mail an informational pamphlet prepared by the county
23 school superintendent to each household in the school district that
24 contains a qualified elector. The informational pamphlet shall contain, at
25 a minimum, the following information:

26 (a) The date of the election.

27 (b) The voter's polling place and the times it is open.

28 (c) A statement as to why the election was called.

29 (d) A complete list of each proposed capital improvement that is in
30 addition to the initial capital improvements presented in the
31 informational pamphlet when the bonds were approved and the proposed cost
32 of each improvement, including a separate aggregation of capital
33 improvements for administrative purposes as defined by the school
34 facilities oversight board.

35 (e) A complete list of each capital improvement that was presented
36 in the informational pamphlet when the bonds were initially approved and
37 that is proposed to be eliminated or to have its cost reduced, and the
38 proposed cost of each improvement, including a separate aggregation of
39 capital improvements for administrative purposes as defined by the school
40 facilities oversight board.

41 (f) Arguments for and against the proposed change, if submitted, as
42 provided by section 15-481, subsection B, paragraph 9. The ballot
43 arguments for the proposed change shall be signed as the governing board
44 of the school district without listing any member's individual name for
45 the arguments for the proposed change.

1 3. The ballot shall contain the words "change capital improvements,
2 yes" and "change capital improvements, no", and the voter shall signify
3 the voter's desired choice.

4 4. If the election is to add a purpose that was not on the initial
5 ballot, the ballot shall list the purpose that is proposed to be added.

6 M. If an election is held to extend the time to issue bonds
7 pursuant to subsection A, paragraph 6 of this section, the following
8 requirements apply:

9 1. The election may be held only on the first Tuesday after the
10 first Monday in November.

11 2. Not later than thirty-five days before the election, the school
12 district shall mail an informational pamphlet prepared by the county
13 school superintendent to each household in the school district that
14 contains a qualified elector. The informational pamphlet shall contain,
15 at a minimum, the following information:

16 (a) The date of the election.

17 (b) The voter's polling place and the times it is open.

18 (c) A statement as to why the election was called.

19 (d) Arguments for and against the proposed change, if submitted, as
20 provided in section 15-481, subsection B, paragraph 9. The ballot
21 arguments for the proposed change shall be signed as the governing board
22 of the school district without listing any member's individual name for
23 the arguments for the proposed change.

24 3. The ballot shall contain the words "extend time to issue bonds,
25 yes" and "extend time to issue bonds, no", and the voter shall signify the
26 voter's desired choice.

27 N. NOTWITHSTANDING ANY OTHER LAW, THE QUESTION OF WHETHER TO
28 APPROVE THE ISSUANCE OF BONDS FOR THE CONSTRUCTION, ACQUISITION AND
29 EQUIPMENT OF SCHOOL BUILDINGS IN THE DISTRICT, THE PURCHASE OF NEW SCHOOL
30 BUSES AND THE PURCHASE OF NECESSARY SITES FOR SCHOOL BUILDINGS MAY BE
31 SUBMITTED TO THE VOTERS IN A SINGLE BALLOT PROPOSITION, EXCEPT THAT BONDS
32 FOR THE FOLLOWING PURPOSES MUST BE STATED IN A SEPARATE PROPOSITION:

33 1. THE CONSTRUCTION, ACQUISITION OR EQUIPMENT OF ANY OF THE
34 FOLLOWING:

35 (a) A STADIUM WITH SEATING CAPACITY FOR MORE THAN ONE THOUSAND
36 SPECTATORS.

37 (b) A NATATORIUM.

38 (c) RECREATIONAL FACILITY OTHER THAN A GYMNASIUM, PLAYGROUND OR
39 PLAY AREA.

40 (d) A PERFORMING ARTS FACILITY.

41 (e) HOUSING FOR TEACHERS AS DETERMINED BY THE DISTRICT TO BE
42 NECESSARY TO HAVE A SUFFICIENT NUMBER OF TEACHERS FOR THE DISTRICT.

43 (f) ADMINISTRATIVE BUILDINGS.

1 2. AN ACQUISITION OR UPDATE OF TECHNOLOGY EQUIPMENT, OTHER THAN
2 EQUIPMENT USED FOR SCHOOL SECURITY PURPOSES OR TECHNOLOGY INFRASTRUCTURE
3 INTEGRAL TO THE CONSTRUCTION OF A FACILITY.

4 O. THE QUESTION OF WHETHER TO APPROVE THE ISSUANCE OF BONDS FOR A
5 BUILDING DESCRIBED BY SUBSECTION N, PARAGRAPH 1 OF THIS SECTION MUST BE
6 PRINTED ON THE BALLOT AS A SEPARATE BALLOT PROPOSITION REGARDLESS OF
7 WHETHER THAT BUILDING IS PROPOSED AS PART OF THE SAME COMPLEX OR BUILDING
8 THAT CONTAINS TRADITIONAL CLASSROOM FACILITIES. EACH SEPARATE BALLOT
9 PROPOSITION REQUIRED BY THIS SUBSECTION MUST STATE THE PRINCIPAL AMOUNT OF
10 THE BONDS TO BE ISSUED THAT CONSTITUTES THE COST FOR CONSTRUCTION OF THAT
11 PORTION OF THE BUILDING OR COMPLEX ATTRIBUTABLE TO THE BUILDING DESCRIBED
12 BY SUBSECTION N, PARAGRAPH 1 OF THIS SECTION OR TO THE TRADITIONAL
13 CLASSROOM FACILITIES, AS APPLICABLE.